



The Jonah Center for Earth and Art

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Testimony on H.B. No. 5415 An Act Concerning the Air Line Trail Submitted to the Environment Committee

By

The Board of Directors
The Jonah Center For Earth and Art

The Board of Directors of the Jonah Center appreciates the opportunity to testify in support of H.B. 5415, authorizing the State of Connecticut to acquire lands that are now privately owned in order to preserve and complete the Air Line Trail State Park.

The State of Connecticut currently owns the 17-mile multi-use trail that extends from Willimantic through East Hampton and is enjoyed by thousands of residents and out-of-state visitors every year. This trail is busy with cyclists and hikers, even on week days. It is extremely scenic and constitutes an invaluable resource of our state park system. It could also serve as vital corridor for non-motorized transportation (bicycle commuting) if the trail were extended approximately 8 miles in the southwesterly direction to reach the center of Portland and the Arrigoni Bridge, which crosses the Connecticut River between Portland and Middletown.

The situation that makes H.B. 5415 critically important is that the southernmost section of this historical rail bed – approximately 5 miles from the East Hampton-Portland town line to downtown Portland and the Arrigoni Bridge to Middletown – is owned privately and has not been redeveloped. This section of the trail is critically important in terms of connecting this asset with the larger population center of Portland and Middletown.

The Jonah Center for Earth and Art is at the center of a grassroots campaign to extend the trail from the center of East Hampton, where the reconstructed trail now ends, to the center of the Town of Portland. A several-mile portion of this final section is owned by the Department of Energy and Environmental Protection (to the East Hampton-Portland

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Town line), and redevelopment of this section should be straightforward, once construction funding is available. But the rest of this unfinished section is owned by Northeast Utilities (3 miles) and a small number of businesses and families (nearly 2 miles). This is the section that is complicated in terms of securing easements and/or ownership of properties through which the Air Line rail bed passes.

The important fact that makes H.B. 5415 so compelling is that, in spite of the private ownership of the critical 5 miles mentioned above, the historic Air Line Trail right-of-way remains completely unobstructed to this day. In other words, no building or facility has been placed in the right-of-way that would interrupt a full reconstruction of the rail bed, for recreational use by hikers, bicyclists, runners, horseback-riders, and wheelchair-users, for commuting by bicycle from East Hampton and Portland into Middletown, or even for rail transportation in the future. This valuable and historic public asset must be preserved before this opportunity is lost or made extremely difficult by the construction of private buildings.

As a technical matter, we believe that a double-negative in the text of the bill inadvertently specifies a right-of-way purchase that *must* be greater than 200 feet, whereas the intent is probably to authorize a purchase of a right-of-way *less than* 200 feet.

In section b, reasoning that “no greater than” can be re-phrased or understood as “less than or equal to,” we suggest that the text

“provided the power of eminent domain shall not be utilized to acquire a strip of land bordering said trail no greater than two hundred feet in overall width”

be amended as follows:

“provided the power of eminent domain shall not be utilized to acquire a strip of land bordering said trail ~~no~~ greater than two hundred feet in overall width”

Perhaps a clearer version of the intent might be the following:

"provided that the power of eminent domain be used only to secure a contiguous strip of land, limited to 200 feet in total width, through which the trail runs."

We would also like to suggest that the wording that describes use of the trail “primarily as a footpath” be revised to include the other desirable uses mentioned above. We propose the following wording:

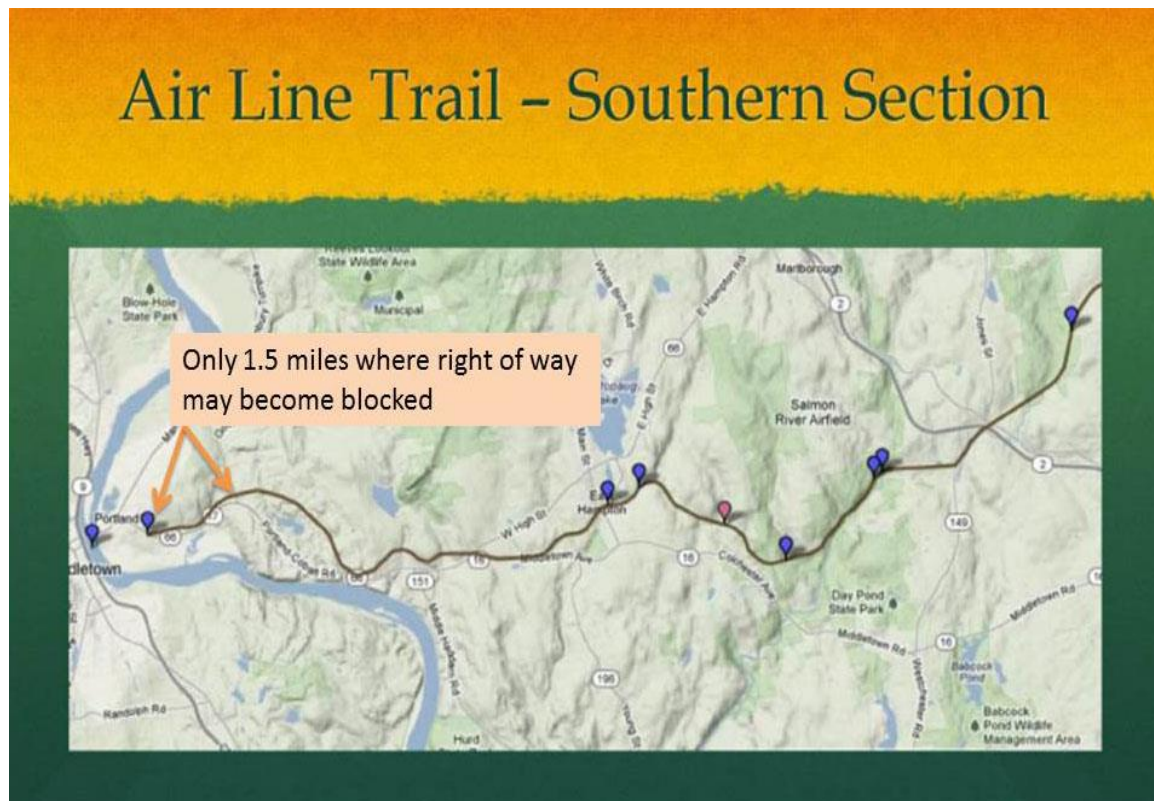
The Air Line State Park Trail shall be held, developed and administered ~~primarily as a footpath~~ for the use of hikers, runners, bicyclists, horseback-riders, and wheelchair-users . . .

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Thank you for your consideration of this testimony in support of H.B. 5416 and in support of the full preservation of the Air Line Trail right-of-way.

Respectfully submitted by members of the Jonah Center, Inc. Board of Directors

John Hall
John Shafer
Jon Morris
Elise Springer
Elizabeth Emery
Mark Meyering
Susan Hall
Krishna Winston
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